

Rudolph Serrano
 Name
9686 Asbury Ln
Alb - NM
 Address

FILED
 UNITED STATES DISTRICT COURT
 DISTRICT OF NEW MEXICO

16 APR 22 PM 3:12 KH

CLERK ALBUQUERQUE

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEW MEXICO

Rudolph Serrano Plaintiff
 (Full Name)

CASE NO. 16CV332 KK
 (To be supplied by the Clerk)

v.

Lemuel L. Martinez Defendant(s)
Sargent Buhl

CIVIL RIGHTS COMPLAINT
 PURSUANT TO 42 U.S.C. §1983

A. JURISDICTION

1) Rudolph Serrano is a citizen of Florida
 (Plaintiff) (State)
 who presently resides at 9686 Asbury Ln Tempadd
 (Mailing address or place of confinement)

2) Defendant Sargent Buhl is a citizen of
 (Name of first defendant)
Rio Rancho, and is employed as
 (City, State)
Sargent R.R. Police. At the time the claim(s)
 (Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of state law?

Yes ☒ No ☐ If your answer is "Yes", briefly explain:

Sargent in uniform meet and
confer maliciously with
Lemuel Martinez D.A

- 3) Defendant Lemuel L. Martinez is a citizen of
(Name of second defendant)
Rio Rancho, and is employed as
(City, State)
District Attorney. At the time the claim(s)
(Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of state.

Yes ☒ No ☐ If your answer is "Yes", briefly explain:

Mr Lemuel L. Martinez is former District Attorney, and knows this matter is open civil court against Bergen Buhl

(Use the back of this page to furnish the above information for additional defendants.)

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3), 42U.S.C. §1983. (If you wish to assert Jurisdiction under different or additional statutes, you may list them below.)

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

See Att 1

On April 13 officer Mackinegy and ~~officer~~ Sgt Buhl, who serve by federal Marshall's Civil Action 1:16-cv-00332-KK for the false allegations that already cause a 4 month detainment of health in Petitioner, that is sequestered by the State of New Mexico, with overpower indictments went and "Retaliate" against Petitioner bring in another Target investigation, in a case drop twice, for satisfaction to treatment and lack of elements to start with. with the only intention to create extreme tension in petitioner and his family, in a big stress condition.

XE-

2/7

-2-

C)(1) Count II: Retaliation

(2) Supporting Facts: Even do, defendant was to be found guilty in a court of law, the penalty for the first violation of a non-violent restraining order 5 months or PTSD from rape of Alexis Velazquez in the assumption since mom inform Petitioner she did, knowingly I can't prosecute. The Dr. is conform with the work we got, also this already was drop, not only for disability, but because as we will see lawas not violating and officer McKinney and Sgt Buhl "lie" in the reports see C-1063KGKK

D) PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?

Yes ☒ No ☐ If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

Plaintiff- Rudolf Serrano

a) Parties to previous lawsuit.

~~Plaintiff:~~ Buhl and Officer McKinney

Defendants:

b) Name of court and docket number:

CV-1063 KG-KK

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

Still pending Officer McKinney answer to Interrogatives

d) Issues raised:

False arrest, false Imprisonment discrimination,

e) Approximate date of filing lawsuit: Nov 28 15

f) Approximate date of disposition: See Case # 1:15-cv-01063
Job Fcd 9759c-f61b-4eab-a52e-ea5911906B6b

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☒ If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No," briefly explain why administrative relief was not sought.

Mayor Hull said just that I have to go through the process he gets 10 Lawsuit a day.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

500,000.00 The Rio Rancho Police Dept. and D.A. Office continue to de torment my health from a deadly illness by kidnapping me with legal "Encls of delay" from past since they have nothing Present.

Signature of Attorney (if any)

Signature of Petitioner

Attorney's full address and telephone number.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. Sec. 1746. 18 U.S.C. Sec. 1621.

Executed at _____ on _____
(Location) (Date)

(Signature)

Attachment 1

Ground one.- Universal Declaration of Human Rights equal Protection

Amendment. The equal protection principle is exclusively associated with written constitution and embodies guaranties of equal treatment normally applied not only to procedural enforcement of laws, but also to the substantive Constitutional Principle which demands That laws be legitimate only if they can be describe as Just and equal. The U>S>C>A> constitutional amendment reads equal protection my be violated, by a gross abuse of power, individual discrimination, or fundamental unfair Procedures, this is the inescapable Judicial Task. IT MUST NOT BE, and exercise of whim or will It must be an overriding judgment founded more much deeper and more justifiable than (sex) preference Sweezy. new Hampshire3 354 243,234,267 U.S. ct 1220,ed 2d.

A-1 Z evi

From: Rudolph Serrano <rudyforburque@aol.com>

To: rudyforburque <rudyforburque@aol.com>

Subject: dismiss

Date: Wed, Apr 20, 2016 12:00 pm

Rudolph Serrano

rudyforburque@aol.comrudyforburque@aol.com

.- Against multiple punishment doctrine, the double Jeopardy clause of the Fifth amendment

On due process clause, Benton, Maryland, 395 U.S. 748 (1969), provides nor shall any person subject to

the same offence to be twice in jeopardy of limb or limb," U.S. in a v3 in an oft-repeated passage, The

State Of New Mexico.

Sandoval County.

Case Num. 15004528

Div.3

M-45-FR-2015-00454

City of Rio Rancho

Vs

Rudolph Serrano.

Motion to Dismiss Indictment.

Resp. Judge Delilah Montano Baca.

Here COMES NOW. Rudolph Serrano Pro Se. Pending Representation and Respectfully request as follow.

Pursuant to rule 7 pleadings (6) motions (1) complaint.

It is an error of the court, not only to aggravate the charge to Stalking 4 degree felony, as violation of Restraining order do the following grounds.

Ground 1.- Universal Declaration of human rights equal protection Amendment. The equal protection Principle is exclusively associated with written constitution and embodies guaranties of equal treatment

Normally applied not only to procedural enforcement of laws, but also the Laws be legitimate only if they can be describe as just and equal, .the U.S.C.A. constitutional amendment reads equal protection my be violated, by a gross abuse of power, individual discrimination, or fundamental unfair Procedures, this is inescapable to it Judicial Task.IT MUST NOT BE,AND EXERCISE OF WHIM OR WILL. It MUST BE.

Founded much more deeper and more justifiable than preference, Sweezy,New Hampshire,3 354 243,267 U.S.

Discussion: Sgt Buhl is acting in direct Retaliation against Defendant, in violation of Rules of procedure Acting under a redistricted manner with the only purpose to achieve a racial outcome against federal Law. By knowingly he doest not have the required elements to satisfy the nature of the charges, that he Accused defendant. And with the only intention to stigmatize defendant as a public threat, condemning Him as a second class citizen, permanently diminishing his citizen as Constitutional rights. By not only

Meeting in hiding, evil doing, but also against rule 16-106NMRA of the rules of professional conduct.

Also against rule 404 character evidence, using character evidence Knowing is not admissible. Also against

rule 5-501 Disclosure to the State (4) Scope of duty of information, produce items, to the defendant, and

essential for his defense, hide or suppress items, (like 5 month therapy and treatment visitations for the

P.T.S.D. produce when victim Alexis Villegas was sent to get Rape by his secretary (the Gay Guy) so he

Forgot about crush in defendant and concentrate in making money. Case pending in Federal

Investigations because , officer McKinney has not answer the Interrogatories. See attachment 1 action

This same manner under District court, where Defendant Sargent Buhl Officer McKinney have not

PRODUCE the Name of the (Gay Guy secretary of the mom.) PUTTING THEIR CAREERS IN JEOPARDY. For

also impairing the allegations that I report in Rio Rancho police that I was invited there (ENTRAPMENT)

, ALSO THAT WAS Minor Delilah Villegas sister, the one that was in danger of (the Guy Gay Secretary of the mom).

Civil Action 1:15-cv-01064.wpl as well as 1:15-cv-01064. That where serve to them Prior to Filing this

'RETALIATION'. Putting me as well as an stranger when I was a friend of 15 years, in which my service of

Couching the girls, was used only to have stronger Sex at night. Instead of building Religiosity as they

Agreed to do. As will phone records will show in Federal suit.

Ground Two. Supreme Court Stated a tripartite model of the double Jeopardy Clause: "It protects against

A second Prosecution for the same offence. This matter was dismissed by Honorable Judge Jacqueline

Flores. In which after 7 months of intense incarceration. The State does not have a good faith basis

To assert that the defendant is dangerous to the community as the term is defined in NMSA

1978, section 31-9-21.2(d) 1999): civil cause. In which the family said. "She wanted a dick and got what she

wanted. How much money do I want". And after 5 years of trying to bring her what I thought it was

Justice. Seemingly that under a Woman Society control. The issue of raping girls under 12 years of age,

even do, The Evil that that brings, is not something I can fight nor should I try to prosecute nor persecute

And suggested by clinical Psychiatrist. And in which only the economic losses from the demising out

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to consolidate all cases in federal court in total. Know Seven by tomorrow. Will show that I never had contact and all was frame by money and power with the only purpose to agglomerate the Cement and Gravel business just to the Villegas Family, Betraying friendship and business relations for economic growth.

OFFICE OF THE DISTRICT ATTORNEY

THIRTEENTH JUDICIAL DISTRICT
CIBOLA, SANDOVAL AND VALENCIA COUNTIES

LEMUEL L. MARTINEZ

DISTRICT ATTORNEY

April 14, 2016

Rudolph Serrano
9686 Asbury Lane NW
Albuquerque, NM 87114

RE: State of New Mexico vs. Rudolph Serrano, SV 15 2365

Dear Rudolph Serrano,

You are the target of a grand jury investigation in the COUNTY OF SANDOVAL. The crimes being investigated are: **Aggravated stalking (violation of protection order), §30-03A-01, NMSA 1978; Violation of restraining order prohibiting domestic violence, §40-13-06, NMSA 1978, which are alleged to have occurred on or about June 27, 2015 in COUNTY OF SANDOVAL, New Mexico.** Other possible charges may arise from the grand jury investigation.

You have the following rights with respect to this investigation:

- (1) You have a right to counsel to assist you in this matter. If you cannot afford an attorney, one will be appointed for you.
- (2) You have a right to testify before the grand jury if you desire.
- (3) You have a right not to testify.
- (4) You have a right to submit proposed questions and exhibits to the prosecution³.
- (5) You have a right to alert the grand jury to the existence of evidence that would disprove or reduce an accusation or that would make an indictment unjustified, by notifying the prosecution³.

This case will be presented to the grand jury on **April 28, 2016 at 1:30 p.m.** at the Sandoval County Building, 1500 Idalia Rd., Building D, Room #1046, Bernalillo, NM 87004. If you wish to testify at this proceeding, you may appear at that time and place. You or your attorney may submit proposed questions and exhibits to the district attorney at least forty-eight (48) hours prior to the grand jury proceeding. If you or your attorney wish to submit proposed questions or exhibits, call Sean Fitting, Assistant District Attorney, at 505-771-7400.

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FILED IN
SANDOVAL COUNTY
February 23, 2016
MAGISTRATE COURT
IN BERNALILLO

State of New Mexico

v

RUDOLPH SERRANO, Defendant

No. M-45-FR-2015-00454

NOTICE OF PRELIMINARY EXAMINATION
Trailing Docket

TO: State of New Mexico
Prosecutor: NM District Attorney 13th - Bernalillo
Officer: Brandon Ortiz-Mckinney

Defendant: RUDOLPH SERRANO
Defendant Attorney: Leonard J. Foster

YOU ARE ordered to appear for a Preliminary Examination before the Honorable Delilah Montano-Baca as follows:

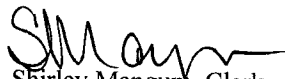
Date of Hearing: **Wednesday, April 06, 2016**

Time of Hearing: **8:30 AM**

Place of Hearing: Courtroom 3
Sandoval County Magistrate Court - Bernalillo
1000 Montoya Rd.
Bernalillo, NM 87004

Matter to be Heard:

If you fail to appear a warrant may be issued for your arrest.


Shirley Mangum, Clerk

Please notify the clerk of the court of the nature of any disability at least five (5) days before any hearing, so appropriate accommodations can be made.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing was served on February 23, 2016 to:

NM District Attorney 13th - Bernalillo PO Box 1750
Bernalillo NM 87004
Leonard J. Foster 300 Central AVE SW STE 1200
Albuquerque NM 87102-3298

RUDOLPH SERRANO 9686 ASBURY LANE NW
ALBUQUERQUE, NM 87114

Brandon Ortiz-Mckinney Rio Rancho Police Department
500 Quantum RD NE
Rio Rancho, NM 87124


Shirley Mangum, Clerk